

Virginia Agricultural BMP Technical Advisory Committee
Meeting 9:30 AM, August 16, 2012
DRAFT Summary

TAC members in attendance:

Member	Representing	Member	Representing
Megen Dalton	VACDE	Chris Barbour	SR Cons. Tech.
Mark Hollberg	DCR CB CDCs	Stacy Horton	DCR SR CDC
Diane Beyer	DCR Reg. Programs	Emily Horsley	FSA
Robert Bradford	Area II Chair (Proxy)	Tom Turner	CB Cons. Tech.
Libby Norris	CBF	Ronnie Nuckols	Area III (Proxy)
Tim Sexton	DCR Nut. Man.	Mike Altizer	Area IV
Chad Wentz	NRCS	Katie Hellenbush	VA Grain Prod. Assoc.
Todd Groh	DOF/NRCS	Blair Krusz	Agribusiness Coun.
Dave Knicely	DEQ Ag. BMP Loans		

Participants: Emily Nelson, TJSWCD; Bobby Clark, VCE, Pete Benedetto, Lord Fairfax SWCD; Dean Cumbia, DOF

The meeting began at 9:30 AM. Gary Moore led and facilitated the discussion that followed. A summary of discussion topics, action items, and significant conclusions are as follows:

Introductions were made around the room and new representatives were welcomed. Since this was the first meeting of the TAC for several new representatives the committee discussed the existing TAC Agreements. These were reviewed and the following modifications were suggested:

- “Trust is established” needs to be moved to the top of the list and be more specific as relates to the work of the TAC. The committee asked Gary to suggest some wording for it’s considerations at the next TAC.
 - “Clear notes showing discussion/decisions of TAC” changed to “Clear notes showing discussion/decisions that are vetted through the TAC membership.”
- “Guiding Policies” for the TAC”
- ❖ “Modify the manual to ensure the VACS is structured to best implement Governor Kaine’s Ag. Championship Initiatives” Changed to “Modify the manual to ensure the VACS is structured to best implement water quality improvements statewide”

The draft summary of the March 08, 2012 TAC meeting was reviewed and approved with one change noted.

Old Business

- ◆ **Voluntary BMP Pilot Project:** Gary informed the TAC that the 2012 BMP Pilot Project involving six participating SWCDs has been completed. To his knowledge there is no plan to continue or expand the project. In general it was found that there are voluntary BMPs that farmers will consent to being reported in the coastal plain. Many of these involve continuous no-till planting and cover crops. In southwest Virginia very few if any voluntary BMPs were found or reported.

- ◆ **Resource Management Plans (RMP):** Gary informed the TAC that the Public Input Meetings for the development of RMP took place this and last week. The RMP is considered a semi-regulatory action because development of a RMP is completely voluntary, (not regulated) or required). However, if you voluntarily decide to develop and implement a RMP, then the plan must be developed according to consistent and regulated processes because Safe Harbor is granted. Safe Harbor means that you are exempted from any mandated TMDL requirements that may be put forward while the plan is in effect. When the plan expires (currently nine (9) years of plan life), then any new requirements would have to be met. There will be a formal communications of the comments received and how they were considered in development of the regulations. Gary thought that if an existing conservation plan met the required criteria of the RMP it could become a part of the RMP. (Question from last meeting), however he acknowledged that Stephanie Martin has been much more involved in the process.

- ◆ **NRCS Updates on 2012 Farm Bill Programs:** Chad Wentz provided an update on the progress of 2012 NRCS conservation programs.
 - Environmental Quality Incentive Program (EQIP): \$9.5M of VA's \$10.6M has been obligated to date . NRCS is working on obligating the rest.
 - Chesapeake Bay Watershed Initiative (CBWI) Program : \$11.6 M of the available \$12.5 M available has been obligated to date; there are 14 outstanding contracts still being worked on. There are very few back logged CBWI applications.
 - Conservation Innovation Grants (CIG): \$150K available, maximum funding per grant is \$75K; the award of these grants is imminent, and will be announced after the announcement of the National CIG grants.
 - Working Lands (Golden Wing Warbler Habitat Initiative): \$45K available, \$17K approve , \$28K preapproved
 - Cooperative Conservation Partnership Initiative: Chad Chad would e-mail the status of that project to DGIF.
 - Statewide NRCS is working on more than 950 contracts worth roughly \$23M; overall there are 2,700 active Virginia contracts worth approximately \$87M. Fiscal Year 2013 Programs are being developed by the State Technical Committee subcommittees; input from local working groups has already been received. The federal budget is very much in question; Farm Bill program reductions are anticipated. There is good chance that NRCS will be operating under a continuing resolution after October 1, . There is talk of consolidating all cost share programs (i.e. EQIP, WHIP, CCPI into one program and all easement programs into a separate program..

- ◆ **FSA Updates:** Emily Horsley is continuing to work on documents for expanding the SR CREP acres. The national office is generating a financial impact analysis before proceeding. There are still ~700 acres of SR CREP available. Some early CREP contracts are expiring and are eligible to re-enroll. There will not be any state contributions toward re-enrolled contracts. There was discussion about encouraging better communications between the local FSA desk and the SWCD. Many times SWCDs are unaware that CREP contracts exist until the implementation is completed and the participant is directed to the SWCD to receive his state CREP contribution. Emily is working on a process and check list that could help remind program specialist to inform SWCDs when CREP contracts within their jurisdiction are developed and approved.

The TAC updated the standing subcommittee membership as follows :

- **Wildlife Management:** Marc Puckett ((Chair), DGIF), Emily Horsley, (FSA) Gary Moore (DCR SWM), Galon Hall (NRCS), in addition M.P. will solicit 2 private land biologist (PLB) and 2 conservation technicians (CT) one from Three Rivers SWCD and one from Chowan Basin SWCD.
- **Cover Crop Subcommittee:** Megen Dalton (Chair), Chris Lawrence, (NRCS), Gary Moore, (DCR SWM), Jim Tate, (H/C SWCD), Wade Thomason (VT), Kelly Snoddy (Piedmont SWCD), and Diane Beyer (DCR Regulatory Programs)
- **Stream Protection Subcommittee:** Emily Nelson ((Chair), TJ SWCD), Gary Moore, (DCR SWM), Megen Dalton (Lord Fairfax SWCD), Richard Chaffin (VASWCD Area V), Chad Wentz, (NRCS), Robert Bradford (Culpeper SWCD), Chris Barbour, (Skyline SWCD), Libby Norris (Chesapeake Bay Foundation), Stacy Horton (DCR SR CDC), Emily Horsley, (FSA), Tom Turner & J.B. Daniels (NRCS).
- **Nutrient Management Subcommittee:** Tim Sexton ((Chair), DCR NMP), Gary Moore, (DCR SWM), Blair Kusz, (Agribusiness Council), Chad Wentz, (NRCS), Darryl Marshall (VDACS), Marcus Comer VSU), Jim Tate, (H/C SWCD), John Fallon (DCR NMP), and Bobby Clark.
- ♦ **Forestry Subcommittee (re-established):** Todd Groh, DOF (Chair), Gary Moore DCR, Megan Dalton, Shenandoah Valley SWCD, Mark Hollberg, DCR, Tom Turner John Marshall SWCD.

New Business

- **The following Suggestions for changing the VACS were received prior to the July 31, 2012 deadline :**
 - 1) Provide cost share on soil testing for use in GPS applications for precision agricultural operations.
Discussion points: VT does not charge for soil test for agricultural producers but it takes time to get results. Existing research supports zone or smart sampling over a set number of acres per sample. There is not enough completed research available to know what to support. Tim Sexton has several grants in process to identify the most effective precision agriculture processes. Results will help identify where cost-share can best be used. The TAC did not feel that there was enough information available to determine what to support with cost-share. This item was not included in Program of work and not referred to subcommittee.
 - 2) Change SL-1 specification to allow Round Up ready alfalfa. OR Remove clause in SL- 1 specification that prohibits pure stands of alfalfa.
Discussion points: *Many valley farmers want to convert cropland to hay or pasture and say that cost-share on pure stands of alfalfa would encourage them to convert their cropland.*

*Orchard grass & Timothy is not persistent enough to last 5 years in the Lord Fairfax SWCD. Chris Lawrence supports adding multiple years of grass for hay or pasture into longer term cropland rotations. . Is a pure stand of alfalfa really a cropland conversion or just a change from row crop to field crop? Does alfalfa form a “healthy well- maintained sod” (from Purpose & Description language)? Alfalfa does protect the soil surface in winter but a pure stand with have bare ground visible year round and does not form sod. Robert Bradford noted that pure stands used to be eligible and his district support making pure stands ineligible because after the last harvest the field basically bare soil. Tim Sexton just recently visited an organic grazing dairy growing pure stands of alfalfa after a recent cutting there was approximately 20% vegetative cover in the field. Adding a perennial to a row crop rotation may very well be an improvement in the rotation with regard to soil loss. Alfalfa does assist in removing Phosphorous from soil. **Assigned to cover crop subcommittee for their consideration and recommendation.***

- 3) *Pay fully for all soil nitrate samples, ~~& eliminate NM 3 practice from cost share program.~~ Bobby Clarke removed the second part of his suggestion as it was not needed to free up money to pay for testing.*

Discussion points: *Bobby Clarke and VCE have been paying for nitrate testing since 2006 with grant funds. During that period two to three hundred samples have been run through Imboden Labs. Estimates are that ten thousand pounds of planned Nitrogen applications have not been applied as a result of the Nitrate testing. It is important to get results within 24 hours. Imboden Labs charges \$13.50 per sample & gives results in 24 hours. Bobby is looking for a funding stream to pay for Nitrate testing. Tim Sexton says that Virginia runs more nitrate testing than all the rest of the Chesapeake Bay states combined and approximately forth-five percent of the PSNTs show that no nitrogen is needed. Penn. State Univ. is working to standardize PSNT testing throughout the CB watershed. However presently there are no model N reduction credits for PSNT testing and the existing EPA 319 funding for PSNT support is declining. **Assigned to nutrient management subcommittee for their consideration and recommendation.***

- 4) *Offer cost-share for large animal mortality (dairy & beef) composting systems under WP-4C.*

Discussion points: *Composting has become the preferred method for disposing of bovine mortality, especially since rendering facilities will no longer accept bovine carcasses since the carcasses can no longer be used in animal feed. Does composting destroy (Mad Cow) prions? No one knows definitively, the state Vet says, that composting does not generate enough heat to destroy viral contamination. He further states that the compost from bovine mortality should not be sold as animal bedding or transported off the farm. Where should the end product from composting mortality be applied, on pasture or cropland? Bobby Clarke has been conducting demonstration projects throughout the Shenandoah Valley for almost three years and trying to determine what components are needed to properly compost bovine mortality. He suggest cost-share be made available for concreted slabs under and roofs over large animal composting operations. **Assigned to nutrient management subcommittee for their consideration and recommendation.***

- 5) Change CCI-CNT from “All eligible fields must have a cropping history two out of the past five years. Only double crop cash grain or cotton rotations that include at least two crops of small grain in five years are eligible. All required small grain crops may be harvested for grain only. Straw must remain on the field. Permanent grass or hay land is not considered cropland.” TO “All eligible fields must have a cropping history of two out of the past five years. Crop rotations must feature two annuals produced each year.”

Discussion points: *This suggestion is trying to expand CNT eligibility. Gary also received similar late suggestion & did a little research relating to this language change. He will supply some suggested language to the subcommittee. Assigned to cover crop subcommittee for their consideration and recommendation.*

- 6) Provide cost-share for emergency back-up generators under the SL-6, LE-2, LE-1T, and LE-2T. Allow the purchase of back-up generators to be open to anyone with a contract under lifespan that the District paid for the water source that required electricity with the same amount of cost-share as they qualified under when their project was originally completed.

Discussion points: *The 2012 BMP manual requires the least cost scenario; SWCD staffs say they need some alternatives for long term loss of utilities scenarios. Gary also received late letters of support for this type of change from Natural Bridge and Culpeper SWCD. Assigned to stream exclusion subcommittee for their consideration and recommendation. The subcommittee should consider all potential methods of resolving issues caused by the long term loss of utilities including additional instructions to planners as well as providing cost-share for equipment. These considerations should not be limited to generators rather all potential methods of providing water during an extended utility outage should be considered including but not limited to cost-share for gates, limited access points, electrical switches, i.e. (grid disconnects and generator plug ins), solar panels, portable fence chargers & fence materials, large gravity feed reservoirs and back-up generators should all be looked at. Maybe additional instructions to consider the ramifications of a long term power outage should be added to the specification language. The potential to allow retroactive cost-share on any exclusion practice within its lifespan should be considered as well.*

- 7) Change both FR-1 and FR-3 from flat rate to a 75% cost-share practice. Eligible costs to include; site preparation (spraying to control weeds, burning, and/or establishment of conservation cover) as well as planting costs (trees, tree tubes, mats, stakes, pins, labor, etc.)

Discussion points: *The method of calculating cost share between VACS (a flat rate payment) and Restoration of Timberland (RT) (a percentage payment) makes piggy-backing difficult. The flat rate was changed from a percentage payment due to work load considerations relating to SWCD staff. Gary stated that the VACS are a cost-share program and that the nuances between an incentive payment and a cost-share payment should not be considered. All payments are cost-share payments. DOF estimates replanting pine = \$65/acre. The specification may need language that cost-share is not to exceed 100% of*

practice cost. Assigned to re-established forestry subcommittee for their consideration and recommendation.

The following suggested changes were received after the July 31, 2012 suggestion deadline therefore, according to existing TAC policies the TAC does not commit to resolving these suggestions during this program year.

- a) Add cost-share for the NM-1A as an eligible component of the SL-9 practice.
Discussion points: *The participant may apply for NM-1A cost-share, use a DCR NMP or the SWCD may approve an NM-1A each year for the 10 years of the project presently. Not included in Program of work and not referred to subcommittee.*
- b) Remove the option to assign the NM-1A payment to a private Nutrient Management Planner.
Discussion points: *The choice to assign the NM-1A cost-share funds to a private planner is voluntary and requires the participant's signature. He is not required and may or may not voluntarily assign his cost-share funds to the planner. This option was designed to address complaints from private planners that the participant would get the cost-share funds and then not pay the private planner. The TAC typically seeks to offer more choices to participants not reduce existing options. (Q) Who signs practice certification? (A) Farmer, participant not NMP. Not included in Program of work and not referred to subcommittee.*
- c) Raise cost-share limit to eight-five percent (85%) statewide.
Discussion points: *NRCS & DCR are working on the Virginia Enhanced Conservation Initiative (old Joint Cost-share Program see discussion below) the goal is to provide 100% cost-share reimbursement for a limited number of practices. This approach would also have VACS and TMDL programs both paying 85% cost-share. Assigned to stream exclusion subcommittee for their consideration and recommendation.*
- d) Add a bonus payment to the SL-8H and SL-8B for producers who add radishes to their cereal grain cover crop.
Discussion points: *Grazing radishes help with soil compaction issues, however the seed is expensive. VT (Wade Thomason) is presently conducting field research to identify water quality benefits associated with additional species being used as winter cover crops. The TAC has already supported the addition of new species to the cover crop practices when they are approved for nutrient reductions by the Chesapeake Bay watershed model. There is a Chesapeake Bay Program expert committee working on this issue presently. This can be item number one on the Matrix of TAC Decisions document if the TAC wants it to be. Not included in Program of work and not referred to subcommittee.*
- e) Allow for cost-share for emergency water systems (Previously discussed see 6 above). **Previously assigned to Stream Protection subcommittee**

◆ Agency Updates

- **DCR – NRCS Joint cost-share program:** Gary discussed the history and meetings that have already taken place between DCR and NRCS starting early this past spring where it

was discussed about the possibility of partnering Federal and State cost share dollars to pay 100% for animal exclusion practices. The purpose is to leverage money to get more conservation on the ground. A group of staff from DCR that included Mike Foreman and Gary Moore then met with Wade Biddix, Dan Solomon, Chad Wentz, Emily Horsley met several times and developed a framework for the program that would start after October 1, 2012 and would require approval of either an EQIP contract or CREP contract and the identification of the amount of federal cost-share available from those programs. The participant would then go to the SWCD and apply for normal piggy-back cost-share under CREP or VACS for EQIP participants. If approved by the SWCD the district could send the application along with practice information to Gary Moore in Richmond and DCR would rank the applications based up on things like the number of animal units involved, length of stream bank protected, and/or other environmental factors to offer additional cost-share up to 100% reimbursement for the implemented practice (the state cap on the joint cost-share program payment would not exceed \$100K). This process is much like the process that has been used the last two years to fund animal waste practices that SWCDs did not have enough Base allocation money to fully fund. The funds for the joint cost-share program would come from the unobligated 2012 cost-share funds or other sources the amount of state funding has not been determined to date.

A larger group with SWCD representation has met and discussed the issues. That group has proposed that the program be named the Virginia Enhanced Cost-Share Initiative (VECI). Another meeting is scheduled for August 29th. Please expect to hear more information as the final approach is worked out.

David Knicely from the DEQ "Office of Clean Water Financing and Assistance" low interest Loan program stated that due to the \$5,000 minimum long term loan need his program would not be able to make any loans to the any of the participants in the joint program.

- **DGIF Marc Puckett** spoke about the Quail Action Plan (QAP), 2012 is the 4th year of a 5 year QAP. Thus far DGIF has paid out \$470,000 of the \$1,800,000 available (from DGIF operations budget) for implementation of the QAP. Last year (2012) was the lowest implementation year to date, with only approximately \$58,000 obligated by SWCDs. Several factors probably contribute to the low implementation including high commodity prices and bigger case loads at the SWCD level. All five Private Lands Biologist (PLB) positions are filled with trained individuals. Many idle land projects will be coming out of contract and will be eligible to re-enroll this year. A post from the QAP was submitted at the national NACD Conference and was well received. There are several success stories from the field one is in the New Town area of King and Queen County where 5 or 6 different projects have been completed in the same area and this implementation has created a quail quilt (referring to closely associated revitalized quail habitat areas). Other high implementation areas include southern Sussex County, Rappahannock County and South west Halifax County, all of these areas have large habitat restoration projects. Marc presently serves as Chairman of the National Bobwhite Council; a group of twenty-five states with active quail restoration programs. Congratulations Marc!

Marc and Emily are working together to see if the FSA CP-33 program can be melded with the QAP to offer larger incentives to land owners. There are still lots of issues to work out like what is the term of the contract presently the federal program is a ten year contract while the state practices all three to five year commitments. The federal CP-33 has 1,800 acres available

to be enrolled as field borders 35 to 120 feet wide of this melding of programs makes sense. Marc will be making presentation to DGIF administration soon proposing this idea.

- **Golf Course BMP Project;** During the last General Assembly (GA) session a bill was passed that requires all golf courses in Virginia to have and implement a nutrient management plan (NMP) before July 1, 2017. The bill includes language that requires the state to pay \$10/acres for development of the NMP however no funding source was identified for this project. In 2006 DCR contracted nutrient management planners to develop NMPs for 225 golf courses statewide.
- **DCR SWM Regulatory Programs (formerly CBLA):** Diane Beyer is working to develop the nutrient trading criteria within the Chesapeake Bay drainage basin. One approach being discussed is to provide credits for converting farmland into less intensive uses. There will be a Regulatory Advisory Panel process beginning in the next few months for the purpose of developing the regulations for this purpose. Please submit any questions you may have to Diane.
- **Agribusiness Council:** Katie Frasier is back now serving as the President of the Agribusiness Council after Donna Pugh's retirement. Katie Hellebush will be representing Agribusiness Co. on the TAC and serve on the nutrient management subcommittee.
- **Monacan SWCD:** Powhatan County has recently stopped funding the Monacan SWCD. As a result the district has had to cut staff hours and is selling some equipment.
- **DCR Nutrient Management Program (NMP):** There are thirteen open DCR positions presently some are anticipated to be filled in the near future. The NMP currently shows the 759,000 acres are under Nutrient Management Plans presently in the Chesapeake Bay and 959,000 acres statewide. This meets the 2013 milestone goals.
Nut Man 4 is coming it will automatically roll up acres under NM plans and report to the National Environmental Information Network Exchange (NEINE), and assure that only one plan is written on a parcel. Tim will be demonstrating to EPA between now and Thanksgiving.
- **National Fish and Wildlife Foundation (NFWF) Grant for Farmland under Precision Ag.:** The five thousand (5,000) acre goal has been surpassed with eight thousand (8,000) acres using precision fertilizer applications .The NFWF grant have been implemented on eighty-eight farms protecting originally 50 farms were targeted.
- **DCR Employees** were evicted from the Staunton office this week by the Department of Labor, plans include at least at temporary stay at VDOT in Verona, VA.
- **Virginia Association of Soil and Water Conservation District Employees (VASWCDE):** The Employees Association is sponsoring summer training at Graves' Mountain Lodge August 22 through Aug. 25. Training for Conservation Planning Certification (CPC) will be available during that time. The summer Study of District Needs is underway, a budget template will be sent out to all districts so that they can itemize their needs projected out 16 to 18 months into the future. Information from all SWCDs will be rolled up and presented to the General Assembly in the fall; therefore it is vital that each district supply accurate information on the budget template.

- **Dept. of Forestry (DOF):** A new DOF reorganization was implemented on July 1, 2012 which includes the creation of 23 work areas, within the three existing statewide regions, comprised of multiple counties. . Eventually each forester will be supplied with a vehicle, laptop, and a smart phone that will them to have internet wherever they are facilitate field work. The DOF has also hired a new Deputy State Forester, Mr. Ron Farrell. Overall DOF staffing is down approximately 30 to 35 percent over the past 3-4 years, and there is no expectation that staffing will increase much in the future. Since Virginia is not experiencing much fire activity the DOF has been able to assist areas of the country with increased forest fire activity, and have sent several employees out of the state to assist with fighting fires in other states. . DOF and NRCS have been conducting CREP and EQIP field reviews across the state primarily checking program coordination between the different agencies, and forestry practice implementation . Todd Groh's DOF-NRCS liaison position has been renewed for another year and will continue through December 2013.

Next meeting date scheduled for October 25, 2012 9:30 AM DOF 1st floor training room.